UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.3224
27 May 1993

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
TWO HUNDRED AND TWENTY-FOURTH MEETING

Held at Headquarters, New York,
on Thursday, 27 May 1993, at 5.55 p.m.

President:	Mr. VORONTSOV	(Russian Federation)
Members:	Brazil	Mr. SARDENBERG
	Cape Verde	Mr. BARBOSA
	China	Mr. LI Zhaoxing
	Djibouti	Mr. OLHAYE
	France	Mr. MERIMEE
	Hungary	Mr. ERDOS
	Japan	Mr. HATANO
	Morocco	Mr. SNOUSSI
	New Zealand	Mr. O'BRIEN
	Pakistan	Mr. MARKER
	Spain	Mr. YAÑEZ BARNUEVO
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mrs. ALBRIGHT
	Venezuela	Mr. ARRIA

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The meeting was called to order at 5.55 p.m.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION BETWEEN IRAQ AND KUWAIT

LETTER DATED 21 MAY 1993 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/25811 and Add.1)

The PRESIDENT (interpretation from Russian): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/25811 and Add.1, containing a letter dated 21 May 1993 from the Secretary-General addressed to the President of the Security Council, transmitting the final report on the demarcation of the international boundary between the Republic of Iraq and the State of Kuwait by the United Nations Iraq-Kuwait Boundary Demarcation Commission. Members of the Council also have before them document S/25852, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Council is ready to proceed to vote on the draft resolution before it. Unless I hear any objection, I shall take it that that is the case.

There being no objection, it is so decided.

Before putting the draft resolution to the vote, I shall call on those members of the Security Council who wish to make statements before the voting.

Mr. ARRIA (Venezuela) (interpretation from Spanish): As Venezuela indicated in its letter of 18 June 1992 to the President of the Security Council, document S/24121 of 19 June 1992, and in its explanation of vote when the Council adopted its resolution 773 (1992) of 26 August 1992:

> "Venezuela considers that the process of demarcation of the Iraq-Kuwait boundary is being carried out ... in the special circumstances following Iraq's invasion of Kuwait, which posed a threat to international peace and security". (S/PV/3108, p. 3)

That invasion ha been condemned by the international community.

(Mr. Arria, Venezuela)

In this context, Venezuela understands that the draft resolution before the Council today, which follows up on and concludes the technical process of demarcating the boundary between both countries, is not intended in any way to establish any precedent affecting the general principle set forth in Article 33 of the United Nations Charter: that it is the parties directly involved in a dispute, such as the one we are discussing today, who must negotiate and reach necessary agreement to overcome their differences. Similarly, the criteria and methodology used for maritime borders depend upon them.

It is on the basis of these considerations that Venezuela will vote in favour of the draft resolution.

The PRESIDENT (interpretation from Russian): I shall now put to the vote the draft resolution contained in document S/25852.

A vote was taken by show of hands.

In favour: Brazil, Cape Verde, China, Djibouti, France, Hungary, Japan, Morocco, New Zealand, Pakistan, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela

The PRESIDENT (interpretation from Russian): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 833 (1993).

I shall now call on those members of the Council who wish to make statements following the voting.

Sir David HANNAY (United Kingdom): I should like to begin by expressing the gratitude of my delegation to the Secretary-General and most particularly to the two Presidents and the members of the Boundary Commission

(Sir David Hannay,
United Kingdom)

for the detailed and painstaking work which they have carried out since the Council set up this Commission approximately two years ago.

The demarcation of this frontier, both on land and sea, is a crucial contribution to achieving peace and security in the region and to avoiding disputes such as that which preceded, but which certainly did not justify, Iraq's aggression in August 1990. The Council must now ensure that this demarcation is respected, and that is a day-to-day task for the United Nations Iraq-Kuwait Observation Mission. But it must also be respected by the two parties, and in that context, the continued statements by political figures in Iraq and continued teaching in Iraqi state schools which disregard the frontier so demarcated are unacceptable. These actions completely undermine any claim by Iraq that it is respecting and implementing Security Council resolution 687 (1991), on which today's resolution is based.

This resolution draws a line under a disgraceful act of aggression which the United Nations played a major role in reversing. Let us hope that the aggressor now draws the appropriate conclusions for the future.

Mr. MERIMEE (France) (interpretation from French): By adopting resolution 773 (1992) on 26 August 1992, the Security Council expressed its appreciation for the work done by the United Nations Iraq-Kuwait Boundary Demarcation Commission, the first stage of whose work was represented by decisions regarding the land boundary. The Commission has now completed demarcation, and so it is only natural that the Council should take note of this in a new resolution.

The Commission is made up of independent experts who were able to work in a completely dispassionate manner, to benefit from expert opinion and use

(Mr. Mérimée, France)

state-of-the-art cartographic and geographic techniques, and to allow each of the parties concerned to assert their legitimate rights. It has produced a report of an impartiality and professionalism that must be saluted. On the basis of an agreement between Iraq and Kuwait which was submitted to the United Nations and is still in effect to this day, it has carried out the technical task of demarcating a boundary whose limits had been set by the States themselves a long time ago. The report which has been submitted to us quite unambiguously shows that the Commission has not attributed any territory to one side or the other and has not encroached on the sovereignty of either State in any way.

The resolution adopted by the Security Council recalls that we are committed to the inviolability and unalterability of this boundary. We hope this is the end of the dispute, which has affected peace and security in the region for decades and culminated in the invasion of Kuwait by Iraq. We would call on these two countries now to demonstrate a spirit of conciliation and willingness to achieve peace by recognizing that the Demarcation Commission has worked in their best interests on the basis of the principles that they themselves had established.

Mr. SARDENBERG (Brazil): I have been instructed by my Government to make the following statement. Brazil has consistently supported action taken by the United Nations with a view to ensuring full respect for the sovereignty and territorial integrity of the State of Kuwait. Any attempt to challenge that sovereignty and territorial integrity should be rejected as unacceptable.

I wish to state for the record that it is the understanding of the Brazilian Government that the decisions taken by the Security Council with reference to the international boundary between the State of Kuwait and the

(Mr. Sardenberg, Brazil)

Republic of Iraq in resolution 687 (1991) and subsequent resolutions on this matter can be justified only in the light of the exceptional and unique circumstances in which those decisions were taken and do not establish a precedent for future action by the Council in other matters pertaining to the definition or demarcation of boundaries between States Members of the United Nations.

Support of the Brazilian delegation for the resolution we have just adopted, as well as for other decisions of the Security Council in this matter, is without prejudice to the reservations of the Government of Brazil with regard to the competence of the United Nations Security Council in matters related to the definition of boundaries between States Members of the United Nations or to the demarcation of such boundaries. It is the view of the Government of Brazil that questions related to definition and demarcation of international boundaries are to be settled directly by the States concerned.

Mr. ERDOS (Hungary) (interpretation from French): The United Nations Iraq-Kuwait Boundary Demarcation Commission, after two lengthy years of work, has now concluded its work in a very felicitous manner. The international frontier between the two countries has been finally defined. The frontier of the State of Kuwait, which had been ignored and flouted by the the aggression perpetrated by its northern neighbour, has now been formally re-established. Thus we have seen confirmed the sovereignty and the territorial integrity of Kuwait as well as the will of the international community not to tolerate failure to respect the norms of international law and the resolutions of the Security Council.

We venture to hope that the present action of the Security Council will be seen as a tangible message clearly indicating the fact that the

(Mr. Erdős, Hungary)

international community rejects any propaganda that casts any doubt upon the independence or the territorial integrity of Kuwait, and also showing its readiness to guarantee the inviolability of international frontiers in the case of conflicts in which the sovereignty and territorial integrity of other States Members of the United Nations are also involved.

We are convinced that resolution 833 (1993), which the Council has just adopted, will have a beneficial impact on peace and security in the entire Gulf region, and we are convinced also that it is in the interest of one and all to respect and to enforce respect for the inviolability of the frontier thus delimited.

(Mr. Erdős, Hungary)

We note that the delimitation of the boundary resulted from the technical implementation of the 1963 agreement between Iraq and Kuwait and not from the accomplishment of any political task. We therefore welcome the impartial and objective way in which this problem has been dealt with, despite the special exacerbating circumstances: Iraq's invasion of Kuwait. In our view, this will help, on the basis of bitter historical experience, avert future conflicts in the region.

Mrs. ALBRIGHT (United States of America): Two years after this Council's adoption of resolution 687 (1991), the Secretary-General has fulfilled an essential and challenging mandate entrusted to him. We commend the Secretary-General, the members of the Iraq-Kuwait Boundary Demarcation Commission and all who have served them in the completion of their tasks. They have conducted their efforts successfully, with admirable professionalism. They have performed under difficult conditions, including particularly the unwillingness of the Iraqi Government to meet its agreed commitment to participate fully in this important work.

The Boundary Demarcation Commission has not established a new boundary. The Commission has, with impressive technical expertise, identified more precisely and marked on the ground a boundary that has existed since its acceptance by both Iraq and Kuwait on 4 October 1963.

The United States has examined closely the Commission's views with respect to the relationship between its work and the rights of navigation of both parties. The United States notes with approval that each party enjoys navigational access from its territory to the open sea, in accordance with international law and relevant Security Council resolutions.

(Mrs. Albright, United States)

My Government wishes to underscore the importance it attaches to the inviolability of the demarcated boundary between Iraq and Kuwait and the seriousness of its guarantee by the Security Council. With the completion of the Commission's work and the adoption of this resolution, the Council has taken important steps in support of peace and security in the Gulf region.

Mr. Li Zhaoxing (China) (interpretation from Chinese): The Chinese delegation believes that the sovereignty and territorial integrity of Kuwait - a sovereign State Member of the United Nations - must be fully respected and recognized by the international community. Based on that consideration and on our consistent position on the question of Iraq and Kuwait, we voted in favour of the resolution just adopted.

With respect to the question of boundaries, the Chinese Government has always maintained that the countries concerned should, in accordance with international law and the Charter of the United Nations, seek a peaceful solution in agreements or treaties arrived at through negotiation and consultation, with a view to contributing to lasting peace and stability in the region concerned.

The Chinese delegation believes that the present demarcation of the boundary between Iraq and Kuwait is a special case arising from the specific historical circumstances involved and, as such, is not generally applicable. For that reason, the Security Council's invocation of Chapter VII of the Charter of the United Nations with respect to the demarcation of the disputed boundary between two countries must not be viewed as setting a precedent.

Mr. O'BRIEN (New Zealand): Like others, New Zealand commends the adoption of this resolution and the work of the Iraq-Kuwait Boundary Demarcation Commission. We are gratified by the fact that a New Zealand team was involved with the Commission and that New Zealand was thereby able to contribute directly over the past two years to the actual work of boundary demarcation, employing the most up-to-date, modern technical methods.

It is our strong hope that the final demarcation of the boundary will contribute to furthering peace and security in the region. Like fellow Council members who have spoken this afternoon, New Zealand calls upon the two parties concerned now to respect and abide fully by the boundary demarcated by the Commission.

Mr. OLHAYE (Djibouti): My delegation would like to extend its warmest congratulations to the Iraq-Kuwait Boundary Demarcation Commission on having fulfilled its mandate and on the excellent work it has accomplished. Its unprecedented achievement is a great contribution to the cause of peace and stability in the Gulf region.

While the terms of reference of the Commission were accepted by both countries, Iraq's failure to participate in the sessions of the Commission was regrettable. It is to be underscored once again that the demarcation of the boundary between Iraq and Kuwait under the formula agreed upon in 1963 was really technical, not political. In that regard, the objectivity and professionalism of the Commission are highly appreciated. It is against that background that we lent our full support to the draft resolution on which we have just voted.

(Mr. Olhaye, Djibouti)

My delegation agrees with the Secretary-General that the demarcation of the Iraq-Kuwait boundary has direct implications with regard to the implementation of paragraph 5 of resolution 687 (1991), relating to the establishment of the demilitarized zone. We note with satisfaction that the Secretary-General has already instructed the United Nations Iraq-Kuwait Observer Mission (UNIKOM) to finalize the realignment of the demilitarized zone with the entire international boundary between Iraq and Kuwait as demarcated by the Commission.

The next stage will be to display boundary markers along the course of the boundary line. We fully agree with the recommendation of the Commission and the Secretary-General that the United Nations personnel involved in the implementation of the surficial representation of the boundary should enjoy unimpeded freedom of movement in the area of the demarcated boundary as well as all necessary privileges and immunities for the fulfilment of their task.

The issue of the boundary between Iraq and Kuwait is now settled once and for all. We appeal to both Governments to respect the inviolability of the boundary, which will be guaranteed by the Security Council. It is our earnest hope that peace and good-neighbourliness will come to prevail between these two countries, and that political prudence and pragmatism will govern their relations in the future.

Mr. YAÑEZ BARNUEVO (Spain) (interpretation from Spanish): We consider that the Security Council's adoption of resolution 833 (1993), which is an extension of last year's resolution 773 (1992) and which approves the work of the Iraq-Kuwait Boundary Demarcation Commission, is particularly important. Now, the boundary agreement has been clearly established, with international effect.

(Mr. Yañez Barnuevo, Spain)

As noted in the report of the Secretary-General and in the conclusions of the Commission, the task of the Commission was not to reallocate territory to Iraq or to Kuwait, but was merely the needed technical one of demarcating once and for all the precise coordinates of the boundary as established in existing agreements in effect between the two countries.

In this exceptional case, the Security Council took the decisions it adopted since resolution 687 (1991) in the light of Iraq's aggression against Kuwait in violation of this boundary, an aggression which aroused a legitimate response by the international community.

(Mr. Yañez Barnuevo, Spain)

For this reason, the successive resolutions of the Security Council are, in our opinion, fully justified, for they restore the independence and sovereignty of the State of Kuwait and are aimed at maintaining peace and security in the region. We hoped that in the future everyone will respect this boundary, now definitively demarcated.

The PRESIDENT (interpretation from Russian): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 6.20 p.m.